

NATHAN et al.
Appl. No. 10/661,811
April 7, 2008

AMENDMENTS TO THE DRAWINGS

The attached eight (8) sheets of drawings, which include Figs. 1-8, replace the original sheets including Fig. 1-8. Now new matter has been introduced.

Attachment: Replacement Sheets

REMARKS/ARGUMENTS

In view of the amendments and remarks herein, favorable reconsideration and allowance of this application are respectfully requested. By this Amendment, claims 1-42 have been cancelled, and claims 43-79 have been added. Thus, claims 43-79 are pending for further examination.

Information Disclosure Statement

As background, it is respectfully noted that the assignee of the instant invention maintains a large, interactive entertainment network, providing innovative solutions to over 30,000 bars, restaurants, retailers, and other businesses in North America alone. The assignee of the instant invention introduced what is believed to be the world's first digital-downloading, pay-per-play commercial jukebox in 1998 and now operates what is believed to be the largest network of interactive entertainment systems, playing over 1.5 million songs per day. It maintains a digital music library of more than two million licensed tracks from every major record label, in addition to independent music distributors and a host of independent labels. Part of the assignee's commercial success is believed to be related to its significant history of innovation as evidenced, in part, by its numerous issued patents and pending patent applications. As such, it perhaps is not surprising that the assignee of the instant invention has become aware of the significant body of art reflected on the Information Disclosure Statement (IDS) filed August 30, 2007.

Page 2 of the Office Action notes that there are over 200 references cited in this IDS and further states, "The Examiner has performed a cursory review of all the ones containing subject matter in English" (emphasis added). However, MPEP 609 states that "Once the minimum requirements of 37 CFR 1.97 and 37 CFR 1.98 are met, the examiner has an obligation to consider the information." MPEP 609.05(b) elaborates on this obligation:

“Consideration by the examiner of the information submitted in an IDS means that the examiner will consider the documents in the same manner as other documents in Office search files are considered by the examiner while conducting a search of the prior art in a proper field of search. . . . Examiners must consider all citations submitted in conformance with the rules, and their initials when placed adjacent to the considered citations on the list or in the boxes provided on a form PTO/SB/08A and 08B provides a clear record of which citations have been considered by the Office.”

In view of these requirements, Applicant assumes that the initials adjacent to the references cited in Applicant’s IDS of August 30, 2007 indicate that the references have been duly considered pursuant to MPEP 609, *et seq.* If this is not the case, the Examiner is kindly requested to “line through” any references not appropriately considered on the courtesy copy of the IDS attached hereto.

Rejections under 35 U.S.C. § 103(a)

The rejections of claims 1-42 as allegedly being made “obvious” by various combinations of Bowman-Amuah (U.S. Patent No. 6,289,382), Martin (WO 93/18465), Dunning et al. (U.S. Patent No. 7,024,485), and Raike et al. (U.S. Publication No. 2002/0162104) is moot in view of the cancellation of these claims. It is noted that Applicant does not acquiesce to the propriety of these Section 103 rejections.

New Claims 43-79

New claims 43-79 have been added to seek further protection for the invention. No new matter has been introduced.

Conclusion

Applicant believes that all of the pending claims clearly and patentably distinguish the prior art of record and are in condition for allowance. Thus, passage of this case to issuance at an early date is earnestly solicited.

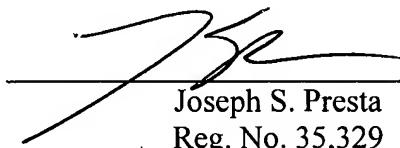
NATHAN et al.
Appl. No. 10/661,811
April 7, 2008

Should the Examiner have any questions, or deem that any further issues need to be addressed prior to allowance, the Examiner is invited to call the undersigned attorney at the phone number below.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:



Joseph S. Presta
Reg. No. 35,329

JSP:JR/lmj
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100

APR 07 2008



INFORMATION DISCLOSURE STATEMENT DOCKET NO.

SERIAL NO.

CITATION

2302-16

10/661,811

APPLICANT

NATHAN et al.

3621

FILING DATE

GROUP

September 15, 2003



(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/J.M./	4,597,058	6/1986	Izumi			
	4,186,438	1/1980	Benson			
	4,335,809	6/1982	Wain			
	4,654,799	3/1987	Ogaki			
	4,528,643	7/1985	Freeny			
	4,703,465	10/1987	Parker			
	4,787,050	11/1988	Suzuki			
	5,418,713	5/1995	Allen			
	5,341,350	8/1994	Frank			
	4,958,835	9/1990	Tashiro			
	4,956,768	9/1990	Sidi			
	4,922,420	5/1990	Nakagawa			
	4,761,684	8/1988	Clark			
	4,667,802	5/1987	Verduin			
	4,658,093	4/1987	Hellman			
	4,652,998	3/1987	Koza			
	4,636,951	1/1987	Harlick			
	4,582,324	4/1986	Koza			
V	4,572,509	2/1986	Sitrick			

FOREIGN PATENT DOCUMENTS

						TRANSLATION
	DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	YES
/J.M./	GB 2,170,943	8/1986	Great Britain			
/J.M./	JP 60-253082	12/1985	Japan			
/J.M./	JP 2-153,665	6/1990	Japan			
/J.M./	JP 63-60634	3/1988	Japan			
	JP 62-284406	12/1987	Japan			X
	JP 63-170802	10/1983	Japan			X
/J.M./	JP 5-74078	3/1993	Japan			
/J.M./	JP 62-192849	8/1987	Japan			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, etc.)

/J.M./	Patent Abstract of Japan vol. 95, no. 010 & JP 07 281682 A (Naguo Yuasa), 27 October 1 JP 07 281682, figure 1-6 abrégé
/J.M./	Bonczek, Robert H. et al, "The DSS Development System", 1983 National Computer Conference, Anaheim, California, May 16-19, 1983, pp. 441-455.
/J.M./	IBM Technical Disclosure Bulletin, Vol. 30, No. 5, October 1987, "Method for Automated Assembly of Software Versions", pp. 353-355.

*Examiner	/Joshua Murdough/	Date Considered	11/28/2007
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 809; draw line through citation if not in conformance and not considered. Initial a this form with next communication to application.			

Sheet 2 of 8

INFORMATION DISCLOSURE CITATION		ATTY. DOCKET NO. <u>2302-16</u>	SERIAL NO. <u>10/661,811</u>
		APPLICANT <u>NATHAN et al.</u>	<u>3621</u>
(Use several sheets if necessary)		FILING DATE <u>September 15, 2003</u>	TC/A.U.

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS		FILING DATE IF APPROPRIATE
				CLASS	SUBCLASS	
/J.M./	4,521,014	6/1985	Sitrick			
	4,412,292	10/1983	Sedam			
	4,335,908	6/1982	Burge			
	3,982,620	9/1976	Kotenhaus			
	5,191,611	3/1993	Lang			
	5,058,089	10/1991	Yoshimara			
	4,766,581	8/1988	Korn			
	4,949,187	8/1990	Cohen			
	5,041,921	8/1991	Scheffler			
	5,191,573	3/1993	Hair			
	5,355,302	10/1994	Martin			
	4,232,295	11/1980	McConnell			
	4,937,807	6/1990	Weitz			
	4,811,325	3/1989	Sharples			
	5,781,889	7/1998	Martin			
	5,166,886	11/1992	Molnar			
	5,237,157	8/1993	Kaplan			
	4,677,565	6/1987	Ogaki			
	4,949,187	8/1990	Cohen			
	4,920,432	4/1990	Eggers			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT	DATE	COUNTRY	TRANSLATION		YES	NO
				CLASS	SUBCLASS		
/J.M./	DE 4,244,198	6/1994	Germany				
	GB 2,193,420	2/1988	Great Britain				
	GB 2,259,398	3/1993	Great Britain				
	EU 0,309,298	3/1989	Europe				
	WO A 93 18465	9/1993	WIPO				
	GB A 2,122,799	1/1984	Great Britain				
	WO A 91 20082	12/1991	WIPO				
	EU A 0313359	4/1989	Europe				
	DE A 3,820,835	1/1989	Germany				
	FR A 2602352	2/1988	France				

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

/J.M./	"Robotic Wafer Handling System for Class 10 Environments" IBM Technical Disclosure Bulletin, Vol. 32, No. 9A, Feb. 1990, pages 141-143.
--------	---

*Examiner	/Joshua Murdough/	Date Considered	11/28/2007
-----------	-------------------	-----------------	------------

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 809; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

Sheet 3 of 8

INFORMATION DISCLOSURE CITATION		ATTY. DOCKET NO.	SERIAL NO.
		2302-16	10/661,811
		APPLICANT	3621
(Use several sheets if necessary)		FILING DATE	TC/A.U.
		September 15, 2003	

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	FILING DATE IF APPROPRIATE	
				CLASS	SUBCLASS
/J.M./	5,192,999	3/1993	Graczyk		
	5,481,509	1/1996	Knowles		
	5,445,295	8/1995	Brown		
	5,703,795	12/1997	Mankowitz		
	5,949,688	9/1999	Montoya		
	5,734,719	3/1998	Tsevdos		
	4,722,053	1/1988	Dubno		
	5,762,552	6/1998	Vuong		
	5,619,247	4/1997	Russo		
	5,513,117	4/1996	Small		
	5,431,492	7/1995	Rothschild		
	5,845,104	12/1998	Rao		
	4,999,806	3/1991	Chernow		
	5,548,729	8/1996	Akiyoshi		
	5,495,610	2/1996	Shing		
	5,734,961	3/1998	Castille		
	5,809,246	9/1998	Goldman		

FOREIGN PATENT DOCUMENTS

	DOCUMENT	DATE	COUNTRY	TRANSLATION	
				CLASS	SUBCLASS
/J.M./	EU A 0631283	12/1994	Europe		
	EU A 0283350	9/1988	Europe		
	WO A 94 03894	2/1994	WIPO		
	WO A 90 07843	7/1990	WIPO		
	EU A0082077	6/1983	Europe		
	WO 95 03609 A	2/1995	WIPO		
	WO 96 12258 A	4/1996	WIPO		
	EPO 0 425 168 A	5/1991	Europe		
	WO 94 15416 A	7/1994	WIPO		
	WO 86 01326 A	2/1986	WIPO		

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, etc.)

/J.M./	"High-speed Opens and Shorts Substrate Tester", IBM Technical Disclosure Bulletin, Vol. 33, No. 12, May 1991, pages 251-259.
/J.M./	"Darts Revolution Again", Replay Magazine, March 1991, pages 146-148.

*Examiner	/Joshua Murdough/	Date Considered	11/28/2007
-----------	-------------------	-----------------	------------

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

Sheet 4 of 8

INFORMATION DISCLOSURE CITATION		ATTY. DOCKET NO. 2302-16	SERIAL NO. 10/661,811
		APPLICANT NATHAN et al.	3621
(Use several sheets if necessary)		FILING DATE September 15, 2003	TC/A.U.

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/J.M./	4,704,804	11/1987	Leal			
	5,375,206	12/1994	Hunter			
	4,924,378	5/1990	Hershey			
	5,138,712	8/1992	Corbin			
	5,260,999	11/1993	Wyman			
	5,559,505	9/1996	McNair			
	5,496,178	3/1996	Back			
	5,594,509	1/1997	Florin			
	5,613,909	3/1997	Stelovsky			
	5,691,778	11/1997	Song			
	5,774,672	6/1998	Funahashi			
	5,357,276	10/1994	Banker			
	5,684,716	11/1997	Freeman			
	5,668,592	9/1997	Spaulding			
	5,339,413	6/1994	Koval			
	5,457,305	10/1995	Akel			
	5,465,213	11/1995	Ross			
↓	5,712,976	1/1998	Falcon			
	5,761,655	6/1998	Hoffman			

FOREIGN PATENT DOCUMENTS

	DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	NO
/J.M./	WO 96/12256	4/1996	WIPO				
	EPO 0283304	9/1988	Europe				
	EPO 0363186	4/1990	Europe				
	EPO 0480558	4/1992	Europe				
	JP 57-173207	10/1982	Japan (Abstract only)				
	JP10-098344	4/1998	Japan (Abstract only)				
	JP 08-279235	10/1996	Japan (Abstract only)				
↓	WO 98/45835	10/1998	WIPO				
	EP 0919964	6/1999	Europe				

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

/J.M./ Galen A. Grimes, "Chapter 18, Taking Advantage or Web-based Audio."

/J.M./ Petri Koskelainen "Report on Streamworks™"

/J.M./ W. Richard Stevens, "TCP/IP Illustrated: Vol. 1, the Protocols"

/J.M./ Nowell Outlaw "Virtual Servers Offer Performance benefits for Networks Imaging"

*Examiner	/Joshua Murdough/	Date Considered	11/28/2007
-----------	-------------------	-----------------	------------

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

Sheet 5 of 8

INFORMATION DISCLOSURE CITATION		ATTY. DOCKET NO. 2302-16	SERIAL NO. 10/661,811
		APPLICANT NATHAN et al.	3621
(Use several sheets if necessary)		FILING DATE September 15, 2003	TC/A.U.

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/J.M./	5,832,287	11/1998	Atalla			
	5,915,094	6/1999	Kouloheris			
	5,887,193	3/1999	Takahashi			
	5,835,843	11/1998	Haddad			
	5,884,028	3/1999	Kindell			
	5,276,866	1/1994	Paolini			
	5,583,994	12/1996	Rangan			
	5,475,835	12/1995	Hickey			
	5,966,495	10/1999	Takahashi			
	5,559,549	9/1996	Hendricks			
	5,511,000	4/1996	Kaloi			
	6,018,337	1/2000	Peters			
	4,926,485	5/1990	Yamashita			
	5,726,909	3/1998	Krikorian			
	4,558,413	12/1985	Schmidt			
	5,708,811	1/1998	Arendt			
	5,913,040	6/1999	Rakavy			
▼	5,959,869	9/1999	Miller			

FOREIGN PATENT DOCUMENTS

	DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
/J.M./	WO 96/12255	4/1996	WIPO			
	EP0817103	1/1998	Europe			
	EP 0982695	3/2000	Europe			
	EP 0498130	8/1992	Europe			
	EP 0632371	1/1995	Europe			
	EP 0841616A2	5/1998	Europe			
	EP 0498130A2	8/1992	Europe			
▼	WO 96/12257	4/1996	WIPO			

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

*Examiner	/Joshua Murdough/	Date Considered	11/28/2007
-----------	-------------------	-----------------	------------

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 809; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

Sheet 6 of 8

INFORMATION DISCLOSURE CITATION		ATTY. DOCKET NO.	SERIAL NO.
		2302-16	10/661,811
		APPLICANT	
		NATHAN et al.	3621
(Use several sheets if necessary)		FILING DATE	TC/A.U.
		September 15, 2003	

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/J.M./	5,930,765	7/1999	Martin			
	5,774,668	6/1998	Choquier			
	5,867,714	2/1999	Todd			
	5,790,856	8/1998	Lillich			
	5,923,885	7/1999	Johnson			
	6,009,274	12/1999	Fletcher			
	5,619,698	4/1997	Lillich			
	5,455,926	10/1995	Keele			
	5,644,766	7/1997	Coy			
	5,802,599	9/1998	Cabrera			
	5,250,747	10/1993	Tsumura			
	5,623,666	4/1997	Pike			
	5,808,224	9/1998	Kato			
	5,884,298	3/1999	Smith			
	5,555,244	9/1996	Gupta			
	5,369,778	11/1994	SanSoucie			
	5,155,847	10/1992	Kirouac			
▼	5,550,577	8/1996	Verbiest			
▼	5,557,541	9/1996	Schulhof			

FOREIGN PATENT DOCUMENTS

	DOCUMENT	DATE	COUNTRY	TRANSLATION		
				CLASS	SUBCLASS	YES NO
/J.M./	EP 0786122 B1	7/1997	Europe			
	GB 2 238680 A	6/1991	Great Britain			
	DE 19610739	9/1997	Germany			
	EPO 0256921	2/1988	Europe			
	WO 94/15306	7/1994	WIPO			
	GB 2,262,170 A	6/1993	Great Britain			
▼	EPO 0,340,787	11/1989	Europe			
▼	WO 93/16557	8/1993	WIPO			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, etc.)

Examiner	/Joshua Murdough/	Date Considered	11/28/2007
----------	-------------------	-----------------	------------

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

Sheet 7 of 8

INFORMATION DISCLOSURE CITATION		ATTY. DOCKET NO. 2302-16	SERIAL NO. 10/661,811
		APPLICANT NATHAN et al.	3621
(Use several sheets if necessary)		FILING DATE September 15, 2003	TC/A.U.

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/J.M./	5,642,337	6/1997	Oskay			
	5,854,887	12/1998	Kindell			
	5,915,238	6/1999	Tjaden			
	5,790,671	8/1998	Cooper			
	5,566,237	10/1996	Dobbs			
	5,959,945	9/1999	Kleiman			
	5,239,480	8/1993	Huegel			
	5,203028	4/1993	Shiraishi			
	4,825,054	4/1989	Rust			
	5,428,252	6/1995	Walker			
	4,677,311	6/1987	Morita			
	5,315,161	5/1994	Robinson			
	4,675,538	6/1987	Epstein			
	4,868,832	9/1989	Marrington			
	5,012,121	4/1991	Hammond			
	5,612,581	3/1997	Kageyama			
	5,570,363	10/1996	Holm			
	4,829,570	5/1989	Schotz			
	6,151,634	11/2000	Glaser			

FOREIGN PATENT DOCUMENTS

						TRANSLATION
	DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	YES
/J.M./	WO 94/14273	6/1994	WIPO			
	EP 0538319 B1	4/1993	Europe			
	DE 3820835 A1	1/1989	Germany			
	EP 0140593 A2	5/1985	Europe			
	GB 2166328A	4/1986	Great Britain			
	WO 95/29537	11/1995	WIPO			
	DE 3,723,737 A1	1/1988	Germany			
	EP 0464562 A2	1/1992	Europe			

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

Examiner	/Joshua Murdough/	Date Considered	11/28/2007
----------	-------------------	-----------------	------------

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

Sheet 8 of 8

INFORMATION DISCLOSURE CITATION		ATTY. DOCKET NO.	SERIAL NO.
		2302-16	10/661,811
APPLICANT			
NATHAN et al.		3621	
(Use several sheets if necessary)		FILING DATE	TC/A.U.
		September 15, 2003	

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/J.M./	5,793,980	8/1998	Glaser			
	5,917,835	6/1999	Barrett			
	5,163,131	11/1992	Row			
	5,197,094	3/1993	Tillery			
	5,668,788	9/1997	Allison			
	5,848,398	12/1998	Martin			
	5,864,870	1/1999	Guck			
	5,420,923	5/1995	Beyers			
	6,072,982	6/2000	Haddad			
	5,592,551	1/1997	Lett			
	6,002,720	12/1999	Yurt			
	5,790,172	8/1998	Imanaka			
	4,792,849	12/1988	McCalley			
	5,644,714	7/1997	Kikinis			
	5,798,785	8/1998	Hendricks			
	5,862,324	1/1999	Collins			
	5,917,537	6/1999	Lightfoot			
	5,931,908	8/1999	Gerba			
	5,978,855	11/1999	Metz			
	5,262,875	11/1993	Mincer et al.			
V	5,237,322	8/1993	Heberle			

FOREIGN PATENT DOCUMENTS

	DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	NO
/J.M./	EP 0959570 A1	11/1999	Europe				
	EP 0 974896 A1	1/2000	Europe				
	EP 0 507 110	10/1992	Europe				
	WO 91/08542	6/1991	WIPO				
	199954012	4/2000	Australia				
V	07281682	10/1995	Japan (Abstract only)				
	WO 98 07940 A	2/26/1998	WIPO				

OTHER DOCUMENTS (including Author, Title, Date, Pertinent pages, etc.)

*Examiner	/Joshua Murdough/	Date Considered	11/28/2007
-----------	-------------------	-----------------	------------

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 809; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.